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ACTION AF-01

INFO	LOG-00	AID-00	AMAD-01	CIAE-00	SMEC-00	OASY-00	DODE-00
	EB-01	FBIE-00	H-01	TEDE-00	INR-00	IO-08	L-01
	ADS-00	NSAE-00	NSCE-00	OIC-02	PA-02	PM-00	PRS-01
	P-01	SP-00	SR-00	SSO-00	SS-00	STR-01	TRSE-00
	USIE-00	PMB-00	PRME-01	DRL-09	G-00		/030W

-----C7597A 191035Z /38

O 191033Z MAY 95
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC IMMEDIATE 0691
USMISSION USUN NEW YORK IMMEDIATE
INFO RWANDA COLLECTIVE PRIORITY

UNCLAS SECTION 01 OF 02 KIGALI 001558

DEPARTMENT ALSO FOR L

E.O. 12356: NA
TAGS: PHUM, PINS, MOPS, MARR, UN, RW
SUBJECT: KIBEHO COMMISSION PUBLISHES FINAL
CONCLUSIONS AND RECOMMENDATIONS

1. DEPARTMENT ACTION REQUEST PARA 6.
2. IN A PUBLIC CEREMONY MAY 18 THE KIBEHO
COMMISSION PUBLISHED ITS FINAL REPORT, READING
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ALOUD ITS CONCLUSIONS AND RECOMMENDATIONS.

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: CHARLES L DARIS
DATE/CASE ID: 31 MAY 2007 200103014

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FOLLOWING IS QUOTED FROM ENGLISH LANGUAGE TEXT.
DETAILED ANALYSIS OF THE REPORT WILL FOLLOW SEPTEL.

3. CONCLUSIONS:

--1. IN THE OPINION OF THE INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY, THE TRAGEDY OF KIBEHO NEITHER RESULTED FROM A PLANNED ACTION BY THE RWANDAN AUTHORITIES TO KILL A CERTAIN GROUP OF PEOPLE, NOR WAS IT AN ACCIDENT THAT COULD NOT HAVE BEEN PREVENTED.

--2. THE COMMISSION RECOGNIZES THE LEGITIMATE INTERESTS OF THE RWANDAN GOVERNMENT AND OF THE INTERNATIONAL COMMUNITY TO HAVE THE DISPLACED PERSONS CAMPS CLOSED AS QUICKLY AS POSSIBLE, BOTH FOR REASONS OF NATIONAL SECURITY AND IN ORDER TO REMOVE AN IMPORTANT OBSTACLE TO THE COUNTRY'S EFFORTS TO RECOVER FROM THE DEVASTATING EFFECTS OF LAT YEAR'S GENOCIDE.

--3. THE COMMISSION RECOGNIZES THE EFFORTS MADE BY UN SPECIAL REPRESENTATIVE, UNAMIR, THE GOVERNMENT OF RWANDA AND OTHER ORGANIZATIONS TO KEEP THE SITUATION AT KIBEHO UNDER CONTROL.

--4. THE COMMISSION REGRETS THAT UN AGENCIES AND NGOS WERE NOT ABLE TO CONTRIBUTE MORE EFFICIENTLY
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TO THE EVACUATION OF IDPS FROM THE CAMP.

--5. THERE IS SUFFICIENT RELIABLE EVIDENCE TO ESTABLISH THAT, DURING THE EVENTS AT KIBEHO CAMP BETWEEN THE 18TH AND THE 23RD APRIL 1995, UNARMED IDPS WERE SUBJECTED TO ARBITRARY DEPRIVATION OF LIFE AND SERIOUS BODILY HARM IN VIOLATION OF HUMAN RIGHTS AND HUMANITARIAN LAW COMMITTED BY RPA MILITARY PERSONNEL.

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--6. THERE IS SUFFICIENT RELIABLE EVIDENCE TO ESTABLISH THAT, DURING THE EVENTS AT KIBEHO CAMP BETWEEN THE 18TH AND THE 23RD APRIL 1995, UNARMED IDPS WERE SUBJECTED TO SERIOUS HUMAN RIGHTS ABUSES, INCLUDING ARBITRARY DEPRIVATION OF LIFE AND SERIOUS BODILY HARM, COMMITTED BY ARMED ELEMENTS AMONG THE IDPS THEMSELVES.

4. RECOMMENDATIONS:

--1. THE COMMISSION WELCOMES THE INITIATIVE TAKEN BY THE RWANDAN GOVERNMENT TO CARRY OUT AN INVESTIGATION AT THE NATIONAL LEVEL.

THE COMMISSION CALLS UPON THE RWANDAN AUTHORITIES TO CARRY OUT AN ANALYSIS OF MISTAKES WHICH OCCURRED IN THE HANDLING OF THE CLOSURE OF THE CAMPS, AS WELL AS A THOROUGH, PROMPT AND IMPARTIAL INVESTIGATION OF INDIVIDUAL RESPONSIBILITIES WITHIN ITS ARMED FORCES AND ANY

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OTHER FACTORS WHICH MAY HAVE CONTRIBUTED TO THE EVENT.

--2. IN THE FUTURE, HIGH PRIORITY SHOULD BE GIVEN TO IMPROVING THE CAPABILITY OF THE RWANDAN STATE AND LOCAL AUTHORITIES TO REACT ADEQUATELY AND WITHIN THE INTERNATIONALLY RECOGNIZED FRAMEWORK OF HUMAN RIGHTS AND OF HUMANITARIAN LAW TO SITUATIONS OF SOCIAL TENSION AND EMERGENCY.

--3. THE COMMISSION RECOMMENDS TO THE INTERNATIONAL COMMUNITY TO CONTINUE ENCOURAGING AND ASSISTING THE RWANDAN REPUBLIC IN ITS EFFORTS TO ACHIEVE JUSTICE, NATIONAL RECONCILIATION AND RECONSTRUCTION.

--4. THE COMMISSION CALLS ON THE UNITED NATIONS TO REVIEW ITS CHAIN-OF-COMMAND AND ITS OPERATION PROCEDURES TO MAKE SURE THAT IN THE FUTURE AN

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ENTIRE OPERATION IS NOT HELD HOSTAGE OR BOGGED DOWN
BY ONE OR SEVERAL AGENCIES AND ORGANIZATIONS WITH
LIMITED MANDATES AND RESPONSIBILITIES.

5. THE REPORT WAS REACHED BY CONSENSUS, WITH NO
DISSENTS. COPIES BEING HAND-CARRIED TO THE

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DEPARTMENT.

6. DEPARTMENT ACTION REQUESTED: THE COMMISSION IS
SEEKING A REPOSITORY FOR ITS WORKING PAPERS AND
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OTHER DOCUMENTS. THE SWISS GOVERNMENT HAS BEEN
SUGGESTED. ANOTHER SUGGESTION IS THE INTERNATIONAL
COURT OF JUSTICE AT THE HAGUE. DEPARTMENT GUIDANCE
REQUESTED SOONEST. WHALEY

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